

PHILLIP A. TALBERT
United States Attorney
JUSTIN J. GILIO
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JENIFFER FIGUEROA ARREOLA,

Defendant.

CASE NO. 1:20-CR-00162-DAD-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
AND ORDER

DATE: August 24, 2022
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

This case is set for status conference on August 24, 2022. The parties wish to vacate the status conference and set the case for a change of plea before the Hon. Dale A. Drozd, U.S. District Judge at 8:30 a.m. on October 11, 2022. The parties also seek to exclude time between August 24, 2022, and October 11, 2022.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 24, 2022.
2. By this stipulation, defendant now moves to vacate the status conference and set the case for a change of plea on October 11, 2022, at 8:30 a.m. before the Hon. Dale A. Drozd and to exclude time between August 24, 2022, and October 11, 2022, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

1 3. Counsel for defendant desires this additional time to prepare for the change of plea
2 hearing and to finalize the plea agreement documents.

3 4. Counsel for defendant believes that failure to grant the above-requested continuance
4 would deny him the reasonable time necessary for effective preparation, taking into account the exercise
5 of due diligence.

6 5. The government does not object to the continuance.

7 6. An ends-of-justice delay is particularly apt in this case because the defendant is not
8 detained pending trial.

9 7. Based on the above-stated findings, the ends of justice served by continuing the case as
10 requested outweigh the interest of the public and the defendant in a trial within the original date
11 prescribed by the Speedy Trial Act.

12 8. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq.,
13 within which trial must commence, the time period of August 24, 2022 to October 11, 2022, inclusive, is
14 deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from
15 a continuance granted by the Court at defendant's request on the basis of the Court's finding that the
16 ends of justice served by taking such action outweigh the best interest of the public and the defendant in
17 a speedy trial.

18 9. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

22
23 Dated: August 15, 2022

PHILLIP A. TALBERT
United States Attorney

24
25 /s/ JUSTIN J. GILIO
JUSTIN J. GILIO
26 Assistant United States Attorney
27
28

1 Dated: August 15, 2022

/s/ Melissa Baloian

2 Melissa Baloian

Counsel for Defendant

3 Jeniffer Figueroa Arreola

4
5 **ORDER**

6 IT IS SO ORDERED that the status conference set for August 24, 2022, is vacated. A change of
7 plea hearing is set for **October 11, 2022, at 9:00 a.m. before District Judge Dale A. Drozd.** Time is
8 excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

9 IT IS SO ORDERED.

10 Dated: August 16, 2022

/s/ *Barbara A. McAuliffe*

11 UNITED STATES MAGISTRATE JUDGE